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**TERRORISM:
LEGITIMATION AND RESPONSE**



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ISSUE DEFINITION

The problem of how best to combat international terrorism continues to confound western democracies. Our inability to agree upon an effective collective strategy is the consequence of a variety of factors, including the self-interest of states, the inappropriateness of international forums such as the United Nations for achieving consensus on matters of substantive conflictual interest, the limited utility of international law, and the changing nature, source and tactics of terrorism itself. When dealing with the matter of appropriate response, we find that the overriding questions are not legal or technological; they are philosophical and political. Decisions as to how accommodating or how uncompromising states should be in their response to terrorism involve questions that fall primarily within the domain of political philosophy. Terrorism is the indirect strategy that wins or loses in terms of the response to it. It can succeed only if governments respond to it in the manner that the terrorists want them to. Thus, in combatting terrorism it is imperative that democratic regimes retain their legitimacy while denying that of the terrorists and it is important to have a consistent understanding of what constitutes the legitimate use of force. The argument that combatting terrorism requires using terrorist methods is not only morally questionable but could prove to be politically disastrous.

BACKGROUND AND ANALYSIS

A. Historical Origins and Tactics

The ideological and tactical roots of modern terrorism can be found in the terrorist movements of nineteenth century Russia. While current trends are significantly different, an understanding of the beliefs

and practices of these early practitioners can prove instructive in helping us come to terms with modern developments. Nicholas Morozov, a member of the People's Will terrorist group active in Russia during the latter part of the nineteenth century, described terrorism as the most just of all forms of revolution since it struck only those who were guilty of crimes against the people. For the intellectual, terrorism provided a kind of baptism in blood and tied him more closely to the cause of the downtrodden. The commitment to violence was thought to help legitimate the revolutionary amongst both his compatriots and those he sought to "liberate." According to Morozov, it set the revolutionary apart from the "talkative liberals" who were purely theoretical in both love of the revolution and hatred of the government. The act of terrorism thus helped the apprentice revolutionary overcome the inertia of the wellborn and the inhibitions of the intellectual.

Russian terrorists were fascinated by the use of explosives, and in their activities would often disguise themselves by wearing masks. The mask gave an ordinary man a new identity as well as an anonymity that bred fear and uncertainty in the enemy. Its purpose was to portray a public image that was grotesque, yet awesome and larger than life. Thus, unlike the uniforms of power that - however oppressive - at least defined clear roles, the new revolutionary mask destroyed all links with the familiar and the predictable, all loyalty and accountability to normal human society. The terrorist group known as Hell argued the necessity of disfiguring one's face before assassinating an opponent. Another group, called the Lancers, masked their bombs by disguising them as dictionaries, while the Den of Thieves and Bear Academy cultivated a wild appearance to enhance their shock effect on society.

One of the more intriguing aspects of the Russian terrorist movement, especially the People's Will, was its massive, and surprisingly successful, effort to win over large numbers of active sympathizers and passive supporters within the ruling class. Their asceticism and selfless dedication gained members of the movement a protective outer circle of supporters, consisting of both liberal and radical intellectuals. Along with the support of intellectuals, the terrorists were also able to gain

the protection of members of the official government establishment, enabling them to maintain an effectively functioning network of nationwide communications. The ascetic terrorist sacrificing himself for a new era of freedom remained a model for Russian students even amidst unprecedented repression in the 1880s.

The People's Will was also able to mount an effective and well structured organization, embodying the principles of secret, hierarchical conspiracy. Members accepted absolute subordination to the majority and the absolute authority of the higher over the lower level. Above two lower levels of agents was a third group, called the executive committee, which used the label "agent third degree" in dealing with others in the organization. The executive committee sought both to disguise the identity of the controlling group and to inspire the vague fear that other inner circles might exist even beyond itself. From the beginning, the People's Will insisted that it could only maintain itself if its members were coopted into the organization after a period of apprenticeship as a "candidate" (non-voting member). The possibility of its functioning openly was not entertained, despite the change in designation from organization to party in 1880.

The People's Will came to conceive itself as a kind of alternative government with its own central administration (five members and three candidate members) within the executive committee. Authority for the organization was derived from two founding congresses in 1879, whereupon local organizations were developed throughout the country. The congresses also provided for a kind of legislature as well as mobilized struggle groups. The program of the People's Will was one of carefully directed terror described as the ministry of justice of the revolution.

After the assassination of Alexander II, the Russian novelist Tolstoy, inspired by the moral fervour of the assassins, asked for clemency on their behalf. Nine days after the assassination, the Executive Committee of the People's Will wrote the new tsar and stressed their agonizing reluctance to use violence and their hope for a peaceful transfer of power to the people. The legacy left by the Russian terrorist tradition was both anarchistic and authoritarian. Its anarchism lay in its

determination to disorganize and destroy all existing state power and its authoritarianism in its reliance on the disciplined hierarchical organization to accomplish its goal.

B. Modern Developments

Certain parallels can, then, be drawn between the terrorism of nineteenth century Russia and that prevalent today. The secretiveness, moral fervour, and shock value of the deed - as espoused by the People's Will - are also aspects of current terrorist practice. Yet, despite similarities, there are also fundamental differences. Russian terrorism was a response to an autocratic system of government, long overdue for reform, and confined itself to well-defined targets that were agents of the regime in question. The shock value of the terrorists' actions was directed at established authority and not meant to terrorize the population at large. The indiscriminate killing of civilian populations was not part of their design. Furthermore, the terrorism of the People's Will did not extend beyond the borders of Russia itself. While émigrés had fled and sought refuge elsewhere in Europe, they did not engage in terrorist activities in host countries in order that these in turn pressure the tsarist regime. Nor did the Russian terrorists offer themselves up as surrogates on behalf of the strategic interests of foreign governments.

Today's terrorism is far more insidious. Some analysts have argued that international terrorism is not a sporadic phenomenon born of social misery and frustration. It is rooted in the political ambitions and designs of expansionist states and the groups that serve them. Without the support of such states, international terrorism would be impossible. Thus, international terrorism can make sense from a strictly strategic perspective. Terrorism is not a mindless activity, sporadically engaged in without a sense of purpose, but is rather directed to the achievement of certain objectives and motivated by concrete circumstance.

One of the more disturbing aspects of the terrorist threat has been the rise of systematic state-sponsored terrorism. This is a relatively new phenomenon and represents a growing danger to those Western

nations that are most often its victims. Prior to 1970 most terrorists were self-sufficient, autonomous, homegrown organizations with local agendas and little outside support. By the early 1970s, it became evident that a significant shift in terrorist groups had taken place. This shift entailed a growing cooperation among terrorist organizations, including the exchange of arms, ideology, tactics, intelligence and other logistic support. Even more disturbing was the apparent support being given to various terrorist movements by nations like the Soviet Union and its East European allies, Cuba, Libya, Syria, and Iraq. Although direct blame cannot be placed on the Soviets for orchestrating every terrorist act, it is a well-established fact that the Soviet Union provided much of the infrastructure of world terrorism, ranging from terrorist training camps within its own borders to the export of arms and other material to terrorist groups, much of it channelled through surrogates like the Palestine Liberation Organization (PLO), Syria and Libya.

The implications of the above are self-evident. With the development of weapons of mass destruction it is becoming increasingly impractical and undesirable for nations to become involved in conventional war; nor is there any advantage to be derived from engaging in a protracted "low level" war. The alternative is that governments may turn more frequently to sponsoring terrorist activity as an arm of their foreign policy. Terrorism as surrogate warfare could become increasingly attractive as other forms of engagement prove less viable. Although terrorism is still rejected as a legitimate form of warfare by most conventional military establishments, its political effectiveness and low cost could change this. Terrorists could be employed to provoke international incidents, create alarm in an adversary's country, compel it to divert valuable resources to protect itself, destroy its morale, and carry out specific forms of sabotage.

Given the foregoing one can then readily see how a convergence of interest emerges between certain states' strategic goals and the interests of terrorist groups. This is not to argue that both operate on the basis of the same motives, but rather that even given different motivating factors a commonality of interest does emerge. Terrorism can

indeed be born of social misery and frustration and it is precisely the existence of such a reality that expansionist states may exploit.

C. Terrorist Motives

The question of motive is, of course, directly linked to that of legitimacy. A motive is a circumstance because of which one may take certain action and, while we may often cite factors such as pride, patriotism, etc. as motives, these only make sense when used in reference to the circumstances in which choices are made. An explanation which construes motives solely in terms of mental states leads to little more than a gratuitous confirmation of first principles. Imputed motives can be regarded as such only when viewed in relation to the moving social prospects facing the actors. Independent of these there is no common element among them by virtue of which they can be regarded as motives. There is then no point in arbitrarily attributing motives, "good" or "bad" to the terrorist. It is far more useful to look at the situations in which terrorists find themselves and at how they act, and may be expected to act, in them.

Once able to deal with the question of motive realistically, we can avoid the pitfalls of popular stereotypes of terrorists. Thus, there are still those who are wont to view the terrorist as a misguided idealist, an unsublimated social reformer. According to this sentimental stereotype, the terrorist has been driven to violence by political or social injustice or both and putting in place certain measures of reform will cause him to desist. The other popular stereotype is the hysterical, which comes in a variety of guises. Here the terrorist may be identified as a disgruntled abnormal person given to mindless violence or as a thug whose political demands are merely a cover for criminal activity. Finally, the terrorist may be defined as an agent or dupe of the other superpower.

Such stereotypes do little to help us come to terms with the matter. Terrorists have a grievance which they share with members of a wider community: the division of Ireland, the division of Palestine, the inroads of secularism into Islam, or whatever. All of these are

understandable as motives as we have defined the term. However, terrorists also have, from the moment they join their fraternity, significant amounts of power, prestige and wealth. These constitute vested interests in the present, irrespective of the attainment or non-attainment of the long term political objectives pursued.

We are generally more inclined to view terrorism which is undertaken to combat demonstrable injustice, as being more justifiable than that which is not. Similarly, we may also evaluate a terrorist movement on the basis of whether or not the goals of that movement are democratic or non-democratic. However, what happens when the primary motivating factors become individual gain and prestige for the terrorists themselves? Although the sentimentalist may think of the terrorist as driven to violence by grievance and oppression, one may also argue that it would be more realistic to think of the terrorist as hauling himself up, by means of the grievance or oppression and the violence it legitimizes, to relative power, prestige, and privilege in the community to which he belongs. To argue this is not to deny the genuineness of all terrorists' political motivation. But it is to recognize that the terrorist is not immune to certain of the benefits in question, and that he will probably be reluctant to relinquish those rewards by voluntarily putting himself out of business.

If the foregoing bears any resemblance to reality, then the prospects of a negotiated settlement with a group like the PLO becomes less likely. A negotiated settlement, by definition, would need to offer some satisfaction to both parties. Such a settlement would be unacceptable to hard core terrorists because of their tendency to view the opposition as evil incarnate. At the same time, exploiting the genuine distaste felt by their client group will be in the interest of the terrorists; and help maintain their reward system. As a consequence, pride and profit converge into a violent rejection of the negotiated solution - which therefore is not a solution to terrorism.

The limited utility of negotiated solutions is best illustrated where negotiations are carried out by third parties who are not true spokesmen for the terrorists. For example, the Hillsborough Agreement over Northern Ireland, negotiated by Garret FitzGerald and Margaret

Thatcher did little to mollify the IRA or its hard core supporters. Similarly, if Jordan's King Hussein and Israeli leaders were to reach an agreement, it is unlikely that this would do much to stave off the determination or activity of Arab terrorists. Even if a particular terrorist organization were to join the agreement, the deal would most likely be repudiated by other organizations. The irony is that by insisting on a negotiated solution one may in fact be playing into the hands of the terrorists. Insistence on negotiations places the responsibility for continuing terrorism equally on the terrorists and those they seek to terrorize. Such an approach invests the terrorists with a degree of legitimacy they would not otherwise have.

The uniqueness of terrorist strategy is that it achieves its goals not through its acts but through the response to its acts. Terrorism wins only if you respond to it in the way the terrorists want you to; which means that its fate is in your hands and not in theirs. This fact came to haunt the French in their campaign against the National Liberation Front (FLN) in Algeria. The French had traditionally viewed Algeria as having no distinct identity of its own and considered it a natural extension of French territory. The crux of the conflict then became whether the indigenous population could be convinced by the French government that Algeria was not a separate country, or whether they could be persuaded by the FLN to think of themselves as a nation. What the FLN did, with its campaign of terror, was to goad the French into reacting in such a way as to demonstrate the unreality of the claim that there was no distinct Algerian nation. The French, in trying to come to terms with the random violence, reacted by treating all non-Europeans as suspect; thereby making Muslims feel excluded from the existing community. Muslim feelings were further confirmed when the authorities transferred the French army units composed of Muslim Algerian troops out of Algeria and into mainland France, and replaced them in Algeria with European troops.

The French action only succeeded in confirming to the Muslims that the only Algerians to be regarded as Frenchmen were the European settlers. The French spoke of "we" and "us" and of "they" and "them" and did not realize that their doing so meant the end of Algérie

Française. The issue was conceded the moment the French became sceptical of Muslim Algerian support. Once the FLN had the sympathy of the population it was able to move from a campaign of mere terrorism to one of guerrilla warfare. At the same time, the FLN was also able to appeal to world sympathy on behalf of a people fighting for its freedom. For the French, the entire exercise became hopeless and they soon realized that no amount of force can keep an unwilling population indefinitely in subjection. The French ended up playing the role which the FLN had set for them.

D. Legitimation and Response

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It is important to note that the success of the FLN was a special case, with a particular opponent, and one that could not be duplicated in other circumstances. This fact has been forgotten by those hoping to overthrow democratic societies by terrorist means. The theory here has been that terrorist attacks would force liberal regimes to become repressive, thereby alienating the masses and setting the stage for revolution. Needless to say, the strategy has not worked. When a colonial regime finds its situation intolerable it can, so to speak, cut its losses and leave. This is not the case in other situations. Israel, for example, is fighting on home territory and terrorist attacks are not about to lessen Israeli resolve. Indeed, continued terrorist threats by the PLO are only likely to aid Israel in legitimating its claim over occupied territories on the pretext of self-defence.

In a general sense one may indeed consider the grievances of certain terrorist groups as legitimate and needing amelioration. But to grant legitimacy to the motive is in no sense to legitimize the actions undertaken by some on behalf of their cause. To kill innocent victims is not to defend a cause, it is to kill innocent victims.

It is important that we do not fall into the trap of responding in the manner desired by terrorists. As a consequence, bombastic speeches at high levels, stressing what a monstrous evil terrorism is and that its elimination is to be given the highest priority,

may only encourage terrorists because such rhetoric will make them think they have had a serious effect. The same may be said of unilateral military action against countries harbouring terrorists. Whatever short-term advantages may be derived from such attacks a price in increased terrorist activity will be paid later. At the same time, such actions may only help to generate international sympathy for the cause of the terrorists in question.

However, this is not to suggest that reprisals are never in order. The worst thing for the democratic West to do is to hamstring itself into inaction, either because of the self-interest of particular states or because of an adherence to some vague moral precept about the use of force. But a program of active counter-measures must be consistent and requires consensus. As long as major powers fall into the trap of calling the terrorists they favour "freedom fighters" and those favoured by the other side "terrorists," effective international cooperation will be limited. Terrorism is a form of warfare and a military response should therefore not be ruled out. Retaliation and preemption are necessary ingredients of an overall strategy.

In the long run, a limited superpower consensus could prove significant in helping offset terrorist activity. Even the Soviets realize that a destabilized west is not necessarily in their interest and that it could indeed prove extremely dangerous. Such a consensus may be in the offing with the recent announcement that an unofficial meeting of U.S. and Soviet terrorism experts has produced "ambitious" proposals for joint action between the superpowers. The group, calling itself the U.S. - Soviet Task Force to Prevent Terrorism, came up with more than 30 recommendations for joint superpower involvement, including the suggestion that the two countries' intelligence agencies share information in certain areas. According to Ray Cline, a former U.S. deputy director of central intelligence, Moscow has made a policy decision that there is no longer a benefit in supporting terrorist activity. The Russians have also indicated that they are prepared to ban the sale of terrorist equipment such as plastic explosives or surface-to-air missiles to anyone but legitimate governments.

Whether terrorism springs from the illusions of ideology or religious fanaticism, the consequences are the same. The grievance of the zealot, though also motivated by concrete circumstance, cannot be realistically addressed with a view to rational solution. Islam's view of its rightful place in the world is at variance with the actual order of things and is destined to remain so. The fundamentalists' desire to redress this imbalance to their liking is not something that can be conceded by the West. Thus, the likelihood of Islamic terrorism's continuing and intensifying is very real. In such an instance the use of military force cannot be ruled out. If and how such force is used will depend upon how the West views its strategic interest and whether a commonality of interest on the issue exists among alliance partners. In the meantime, various pressures, economic and political, can be put on those states supporting and harbouring terrorists. Our liberal-democratic belief in the ability of politics to resolve and mitigate conflict is not shared by all.

E. The Canadian Situation

Although Canada has not suffered from terrorism to the same extent as other Western nations, the Air India disaster (June 23, 1985) in which 329 people, of whom 280 were Canadians, lost their lives, vividly brought home the fact that no one is immune. The disaster, involving by far the greatest loss of Canadian lives in commercial flying history, occurred less than an hour after a bomb hidden in luggage aboard a CP Air Boeing 747 jet from Vancouver exploded at Tokyo's international airport killing two Japanese baggage handlers and wounding four others.

On March 12, 1985 Armenian terrorists stormed the Turkish Embassy, killing a security guard and seizing 12 hostages in a four and a half hour siege. This was the third incident of Armenian terrorism in Canada. In 1982, Col. Atilla Altikat, a military attaché at the Turkish Embassy, was shot and killed at an Ottawa street intersection and in April of 1982, Kani Gungor, commercial counsellor at the Embassy was shot and crippled at his apartment building.

Canadians will also well remember the FLQ crisis of October 1970, which involved the kidnapping of British diplomat James Cross and the kidnapping and subsequent murder of Quebec Cabinet Minister Pierre Laporte. The October crisis was the culmination of a series of lesser FLQ terrorist incidents dating back to the early 1960s. As well, in October 1982, seven persons, including three policemen, were injured when a bomb exploded at the Litton Systems plant in Etobicoke, Ontario. The bomb was in protest of Litton's involvement with the cruise missile project.

Canada has, then, been anything but immune from the terrorist threat. We have not only had to deal with native terrorism - that pursued for local objectives as in the case of the FLQ - but also with imported terrorism, as evidenced by the more recent incidents of Sikh and Armenian terrorism. It is this latter threat which may prove increasingly problematic as immigrant groups seek to redress grievances for perceived current and historical injustices perpetrated against them in their countries of origin. A case in point is the hijacking of a bus to Parliament Hill on 7 April 1989, by a Lebanese immigrant wanting to draw attention to the civil strife in Lebanon.

In its own attempt to offset the increasing terrorist threat the Canadian Government established a 49-member Special Emergency Response Team to deal with a variety of potential terrorist situations. During his September 23 speech before the International Civil Aviation Organization, Transport Minister John Crosbie announced a \$10-million contribution by Canada to help developing countries improve airport security. The funding will be provided by the Canadian International Development Agency over five years. Mr. Crosbie also presented a proposal, supported by Austria, the Netherlands, New Zealand and Italy, which would make it an international crime to:

- 1) Commit at an international airport an act of violence that interferes with the safety of air travel.
- 2) Place bombs or other explosives in airports.
- 3) Damage or destroy security facilities at airports.

- 4) Penetrate airport security areas with the intention of endangering civil aviation.

Transport Canada has also initiated a Security Awareness project, based on the Neighbourhood Watch program, at Canadian airports. The program uses posters, videotapes and a variety of other aids to teach Canadians vigilance about potential terrorism. As a result of the program, the RCMP has been receiving numerous reports about suspicious packages and passengers. The awareness program asks employees and passengers to be on the alert for unattended luggage, suspicious packages and for people not behaving as people at airports generally do.

In 1987, in protest over alleged Syrian involvement in international terrorism, Canada recalled its ambassador from Damascus for consultation. Canada's action was in support of Britain's breaking relations with Syria following a London jury's conviction of Nezar Hindawi, a Jordanian alleged to have been recruited by Syrian intelligence to plant a bomb aboard an Israeli airliner.

In February 1987, Canada signed an extradition treaty with India. A full judicial process must be followed by India when requesting extradition, and those sought may appeal their extradition all the way to the Supreme Court of Canada. The treaty is similar to those Canada has with more than 40 other countries and specifies that requests will be processed only if the charges involve offences that are considered crimes in both countries. Canada is also seeking a special intelligence sharing agreement that would give it access to information gathered by India's Research and Analysis Wing of the Cabinet Secretariat.

On 3 April 1987, the British Columbia Supreme Court sentenced four Sikhs to 20 years in prison for trying to kill the visiting Punjab planning minister, Malkiat Singh Sidhu. In handing down the sentence, Mr. Justice Howard Callaghan said, "acts of violence of this kind cannot be tolerated on Canadian soil to advance a foreign cause."

The federal government has also begun deportation procedures against convicted Palestinian terrorist Mahmoud Mohammad Issa Mohammad. The government contends that Mohammad lied to Canadian immigration officials when he failed to disclose a criminal conviction in Greece (March

1970) for his role in an attack on an El Al airliner in Athens (1968). The attack resulted in the death of an Israeli man and a 17-year prison sentence for Mohammad.

Subsequently (12 August 1970), Mohammad and six other Palestinian terrorists were freed from prison a month after six armed members of a Palestinian commando unit had hijacked a Greek Olympic Airways passenger jet which had taken off from Beirut. When the jet landed at Athens, an agreement was negotiated with Greek officials, providing for the release of 55 passengers in exchange for seven Arab terrorists jailed in Greece. Mohammad entered Canada on 26 February 1987.

The Canadian government has also succeeded in having Inderjit Singh Reyat extradited from Britain. The accused faces several charges, including two counts of manslaughter, stemming from the Japanese airport bombing of 23 June 1985.

In February 1989, the International Civil Aviation Organization (ICAO) held a meeting in Montreal to discuss matters of airport security. The meeting was called following the 21 December 1988 bombing of Pan Am flight 103. The jet exploded over Lockerbie, Scotland, killing 259 passengers and crew, as well as 11 people on the ground. Recommendations drafted by Britain and the U.S. would result in tighter controls on passenger and employee movement at airports. They could also result in mandatory manufacturers' markings on explosives and tighter control over mail and other cargo.

Federal Transport Minister Benoît Bouchard said Canada would support anything that would help improve security measures. He also acknowledged that many of the security measures developed by the ICAO are expensive and may prove a burden for Third World countries. He also noted that, three years ago, Ottawa had established a \$10 million, five-year aviation-security assistance program for developing nations.

In September 1989, the Government formally adopted a policy of not making concessions to terrorists. The Cabinet has approved a detailed national counter-terrorism plan after an internal government task force warned that the country's ability to respond to a terrorist incident was in disarray. The plan spells out the roles and responsibilities of

various government departments and agencies. It also details the procedures to be followed in the event of a terrorist threat or incident.

Recent events in New Brunswick may be a portent of a different kind of "terrorist" problem. The arrest and conviction of two Colombian drug smugglers, and the arrest of five other South Americans for conspiracy to commit a jailbreak, have shown that Canada is not immune to what has come to be referred to as "narco-terrorism." As the United States steps up its "war on drugs," Canada may well become a favoured access to the U.S. market.

PARLIAMENTARY ACTION

A. Special Joint Committee on Canada's International Relations

In recognizing the increasing problem of international terrorism, the Special Joint Committee on Canada's International Relations argued on behalf of increased stringency of control at Canadian entry and border points. The committee also recommended that Transport Canada set and rigorously enforce minimum standards for airport security and that if, after a trial period, private security firms remain deficient, the government consider accepting direct responsibility for all aspects of airport security, to be carried out by Transport Canada or by the RCMP on contract to Transport Canada. International action against terrorism, it was argued, should preferably be carried out through the United Nations. It was suggested that Canada could strive to get support for a UN Security Council Resolution to deny countries harbouring terrorists the right to invoke their sovereignty to prevent international action.

B. The Security Offences Act

In many countries, prosecutorial authorities are not under the direction of the government; and in Canada, the traditional position has been that it is the provincial governments which oversee criminal prosecution. In 1984, Parliament enacted, as part of the Canadian Security

Intelligence Act, the Security Offences Act which allows the federal Attorney General to commence, or intervene in, and take over proceedings for security offences, which can include acts of terrorism.

C. Special Senate Committee on Terrorism

On 8 October 1986, the Senate adopted a motion, proposed by Senator William M. Kelly, to establish a special committee to "hear evidence on and consider matters relating to terrorism as a real or potential threat to Canada and to Canadians."

The Committee tabled its report on 17 August 1987. The report concluded that, although Canada has not "been the focus of significant terrorist threats or violence," terrorist events in Canada or affecting Canadians "have increased significantly over the past quarter century," a trend the committee thinks likely to continue into the foreseeable future.

Despite the increased terrorist threat, the Committee found the basic framework of federal law to be adequate for dealing with any eventuality and strongly opposed "the preparation of a separate stream of anti-terrorism legislation."

The Committee also reviewed the rationale behind the government's decision to locate the Special Emergency Response Team (SERT) within the RCMP. It did not find the reasons compelling and recommended that the SERT be gradually integrated with the Canadian Armed Forces. It further recommended that the six crisis management centres, at the RCMP, the security services and the departments of defence, transport, external affairs and the solicitor-general, be replaced by a centralized crisis management centre in the Privy Council Office. This centre would be the operational focus for coordinating and managing the federal government's response to terrorist incidents as well as to natural disasters, insurrection or attack.

With regard to the role of the media in terrorist incidents, the Committee strongly recommended that the federal government, through the Department of the Solicitor General and the RCMP, initiate discussions with

representatives of national media organizations and outlets as well as selected provincial and municipal police forces to design practical guidelines.

None of the Committee's major recommendations, including the suggestion that the RCMP Act be amended to allow SERT to respond to an invitation from a foreign country to rescue Canadian hostages, seems to have gained any favour with the Government.

In June 1989, the Special Senate Committee on Terrorism tabled its second report. While the Committee agreed that the government's counter-terrorism plans had improved since the tabling of its first report, it believed that important deficiencies remained.

In particular, the report voiced concern over the designation of the Solicitor General's Department, a relatively junior ministry, as the "lead ministry" for responding to terrorist crises. The report went on to urge that this role could more appropriately be performed by the Privy Council Office. Also of concern was whether or not intelligence information from a variety of government departments and agencies is "gathered, coordinated, analyzed and disseminated quickly and effectively."

CHRONOLOGY

- 1972 - Extensive amendments were made to the Criminal Code to deal with hijacking and other offences concerning aircraft.
- 1976 - The Criminal Code was amended to reflect the 1973 United Nations Convention on the Prevention of Crimes Against Internationally Protected Persons.
- 1981 - The Prohibition of International Air Services Act gave effect to the Bonn Declaration of 1978, by permitting the Governor in Council to issue an order prohibiting air carriers from serving a state, and forbidding carriers from that state to fly over or land in Canada, if the Secretary of State for External Affairs certifies that the state in issue is in default of its obligation to deal with hijackers or others who interfere with civil aviation.
- 1984 - Parliament enacted the Security Offences Act as part of the Canadian Security Intelligence Act. The act permits the federal Attorney General to commence or intervene in, and take over

proceedings for "security offences", which include acts of terrorism. Traditionally provincial governments would oversee criminal prosecution.

1985 - Bill C-18 was enacted, bringing Canada's Criminal Code into compliance with the 1979 United Nations Convention against the Taking of Hostages.

1986 - The creation of the Special Emergency Response Team (SERT).

Transport Minister John Crosbie announced a \$10 million contribution to help developing countries improve airport security.

1986 - Establishment of the Special Senate Committee on Terrorism.

1987 - Extradition treaty signed with India.

- On 17 August, the Report of the Senate Special Committee on Terrorism and the Public Safety was tabled.

1989 - In June the second report of the Special Senate Committee on Terrorism and Public Safety was tabled.

1989 - On 13 November, two Colombians who had pleaded guilty to smuggling 500 kilograms of cocaine into New Brunswick were sentenced to 22 years each in prison.

1989 - On 11 December, four of five South Americans accused of conspiracy to break two Colombian drug smugglers out of jail entered guilty pleas in a New Brunswick court. The fifth man, who had appeared without a lawyer, was to appear in court again at a later date.

1989 - In December, Inderjit Singh Reyat was returned to Canada from Britain to face charges stemming from the Japanese airport bombing of 23 June 1985.

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